IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.23856 of 2008
MANOJ SHARMA & ORS
Versus
STATE OF BIHAR
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3. 28.08.2008 Heard the counsel for the petitioners and the state.

Case diary was called for, which has been received. The case diary indicates that after institution of the case, no investigation has been done. The case diary was dispatched on 24/07/2008. Case was instituted on 04.04.2008 but there is no entry in the case diary.

In the F.I.R. suspicion has been raised against all the petitioners by the informant that they might have conspired to kill his son.

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Counsel for the petitioners submits that the informant had made a Sanha Diary Entry in which he has not raised any suspicion against the petitioners. F.I.R. is an afterthought. It has been submitted that except suspicion, there is no evidence against the petitioners.

Considering the fact, prayer for grant of anticipatory bail on behalf of the petitioner Nos. 1, 4 and 5, namely, Manoj Sharma, Dharmu Sharma @ Dharamdeo Sharma and Sakri Devi is allowed. In the event of their arrest or surrender within four weeks from

today, they will be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Pranpur P.S. Case No. 46/08 to the satisfaction of CJM, Katihar subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

As submitted by the counsel, petitioner Nos. 2 & 3, namely, Ganesh Sharma and Fatto Mandal @ Akhilesh Mandal @ Rajesh Mandal have already been arrested, hence their prayer for grant of anticipatory bail is rejected.

AKV/ **(Mridula Mishra,J.)**

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